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Admitted only in Maryland Admitted only in Virginia Practice Limited to Federal Agencies

November 10, 2004

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Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/764,604; Filed: January 27, 2004 **Compositions and Methods for Treating**

Cancer Using IGSF9 and LIV-1

Inventors:

McLachlan et al.

Our Ref:

2159.0030001/LBB/PAC

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Information Disclosure Statement;
- 2. Twenty-six pages of Form PTO-1449;
- 3. Copies of documents AL1-AN1, AR1-AT1, AR2-AT2, AR3-AT3, AR4-AT4, AR5-AT5, AR6-AT6, AR7-AT7, AR8-AT8, AR9-AT9, AR10-AT10, AR11-AT11, AR12-AT12, AR13-AT13, AR14-AT14, AR15-AT15, AR16-AT16, AR17-AT17, AR18-AT18, AR19-AT19, AR20-AT20, AR21-AT21, AR22-AT22, AR23-AT23, AR24-AT24, AR25-AT25 and AR26-AT26 as listed on Form PTO-1449; and
- 4. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox P.L.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com

Commissioner for Patents November 10, 2004 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Janue B. Bugundy

Lawrence B. Bugaisky Attorney for Applicants

Registration No. 35,086

LBB/PAC:dbj Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MC LACHLAN et al.

Appl. No.: 10/764,604

Filed: January 27, 2004

For: Compositions and Methods for

Treating Cancer Using IGSF9

and LIV-1

Confirmation No. 6570

Art Unit: 1614

Examiner To Be Assigned

Atty. Docket: 2159.0030001/LBB/PAC

Information Disclosure Statement Under 37 C.F.R. § 1.97(b)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of U.S. patents and patent application publications, AA1-AK1, AA2-AK2, AA3-AK3, and AA4-AD4, cited on the attached Form PTO-1449 are not submitted in accordance with 1276 OG 55 because this application was filed after June 30, 2003. Copies of documents AL1-AN1, AR1-AT1, AR2-AT2, AR3-AT3, AR4-AT4, AR5-AT5, AR6-AT6, AR7-AT7, AR8-AT8, AR9-AT9, AR10-AT10, AR11-AT11, AR12-AT12, AR13-AT13, AR14-AT14, AR15-AT15, AR16-AT16, AR17-AT17, AR18-AT18, AR19-AT19, AR20-AT20, AR21-AT21, AR22-AT22, AR23-AT23, AR24-AT24, AR25-AT25 and AR26-AT26 are provided.

The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to this application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on

information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

James B Bryansky

Lawrence B. Bugaisky Attorney for Applicants

Registration No. 35,086

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FORM PTO-1449					2159.0030001/LBB/PAC 10/764,604 FIRST NAMED INVENTOR				
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0, 3	AA1	4,67	6,980	06/30/1987	Segal et al.			09/23/1985	
NOV 1 0 2004 &	AB1	4,72	2,848	02/02/1988	Paoletti et al.			06/19/1984	
	AC1	4,81	6,567	03/28/1989	Cabilly et al.			04/08/1983	
TRADEMAN	AD1	4,83	1,175	05/16/1989	Gansow et al.			09/05/1986	
	AE1	4,94	6,778	08/07/1990	Ladner et al.			01/19/1989	
	AF1	5,09	9,069	03/24/1992	Gansow et al.			12/16/1988	
	AG1	5,12	4,471	06/23/1992	Gansow et al.			03/26/1990	
	AH1	5,22	9,275	07/20/1993	Goroff			04/26/1990	
	AI1	5,24	6,692	09/21/1993	Gansow et al.			08/22/1991	
	AJ1	5,28	6,850	02/15/1994	Gansoh et al.			05/11/1992	
·	AK1	5,43	4,287	07/18/1995	Gansow et al.			11/04/1993	
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	AL1	wo	93/11161	06/10/1993	WIPO			N/A	
	AM1	wo	94/13804	06/23/1994	WIPO		-	N/A	
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	AR	1	Bierer, B. E The T Cell	E., <i>et al.</i> , "Syne Receptor," <i>J.</i>	ergistic T Cell Activation V <i>Exp. Med. 168</i> : 1145-115	′ia The Phy 6, Rockefe	ysiological Ligand Iller University Pr	ds For CD2 And ess (1988)	
	AS	1	Bird, R. E., Association	et al., "Single n for the Advar	-Chain Antigen-Binding P ncement of Science (1988	roteins," S	cience 242:423-4	126, American	
	AT	1	Bowie, J. L Acid Subst Science (1	itutions," <i>Sciei</i>	phering the Message in P nce 247:1306-1310, Ame	rotein Seq rican Asso	uences: Tolerand ciation for the Ad	ce to Amino vancement of	
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	AA2	5,460,785	10/24/1995	Rhodes et al.	05,00		01/03/1992
	AB2	5,545,806	08/13/1996	Lonberg et al.			12/16/1992
	AC2	5,545,807	08/13/1996	Surani et al.			08/05/1994
	AD2	5,567,610	10/22/1996	Borrebaeck et al.			10/17/1994
 	AE2	5,569,825	10/29/1996	Lonberg et al.			12/17/1991
	AF2	5,585,089	12/17/1996	Queen et al.		 	06/07/1995
	AG2	5,591,669	01/07/1997	Krimpenfort et al.			05/30/1995
	AH2	5,648,267	07/15/1997	Reff			11/03/1993
	Al2	5,658,570	08/19/1997	Newman et al.			01/25/1995
	AJ2	5,693,761	12/02/1997	Queen et al.			06/07/1995
	AK2	5,693,762	12/2/1997	Queen et al.			06/07/1995
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	ATTY. DOCKET NO. 2159.0030001/LBB/PAC	APPLICATION NO. 10/764.604
FORM PTO-1449	FIRST NAMED INVENTOR	
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	AA3	5,693,	780	12/2/1997	Newman et al.			06/07/1995
	AB3	5,733,	779	03/31/1998	Reff			06/07/1995
· · · <u>.</u> · · · · · · · · · · · · · · · · · · ·	AC3	5,736,	137	04/07/1998	Anderson et al.			11/03/1993
	AD3	5,756,	096	05/26/1998	Newman et al.			06/07/1995
	AE3	5,811,	524	09/22/1998	Brams et al.			06/07/1995
	AF3	5,843,	439	12/01/1998	Anderson et al.			06/07/1995
	AG3	5,892,	019	04/06/1999	Schlom et al.			09/01/1994
	АН3	5,939,	598	08/17/1999	Kucherlapati et al.			07/30/1992
	AI3	5,969,	108	10/19/1999	McCafferty et al.			01/08/1993
	AJ3	6,017,	733	01/25/2000	Reff			01/26/1998
	AK3	6,075,	181	06/13/2000	Kucherlapati et al.			06/07/1995
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	AS	3	Carter, <i>Proc. N</i>	P., et al., "Huma atl. Acad. Sci. U	nization of an anti-p185 ^t SA 89: 4285-4289, Natio	^{HER2} antibody for onal Academy o	human cance f Sciences (199	r therapy," 92)
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	ATTY. DOCKET NO.	APPLICATION NO.
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INFORMATION DISCLOSURE STATEMENT	FILING DATE	ART UNIT
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	AA4	6,15	9,730	12/12/2000	Reff			03/30/1999
	AB4	6,19	3,980	02/27/2001	Efstathiou et al.			09/17/1997
	AC4	6,39	9,061	06/04/2002	Anderson et al.			06/07/1995
	AD4	6,68	32,734	01/27/2004	Anderson et al.			06/07/1995
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`	AR	4	Chothia, C Immunogl	C., and Lesk, A obulins," <i>J. Mo</i>	. M., "Canonical Structu <i>I. Biol. 196</i> :901-917, Ac	res for the Hype ademic Press Lt	rvariable Reg d. (1987)	ions of
	AS	4		Clackson, T., et al., "Making antibody fragments using phage display libraries," <i>Nature</i> 352:624-628, Macmillan Magazines Ltd. (1991)				
	АТ	4	Interaction	ns by Alanine-S	Wells, J. A., "High-Reso Scanning Mutagenesis," ncement of Science (19	Science 244:10	1apping of hG 81-1085, Ame	H-Receptor erican
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	ATTY, DOCKET NO.	APPLICATION NO.
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	AS	<u>5</u>	Doudney, K., et al., "Cloning and Characterization of Igsf9 in Mouse and Human: A New Member of the Immunoglobin Superfamily Expressed in the Developing Nervous System," Genomics 79:663-670, Elsevier Science (May 2002)					
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	AS	<u>6</u>	Freshney, Liss, Inc., I	R. I., "Quantita New York, NY,	tion and Experimental Des pp. 227-296 (1987)	sign," in <i>Cult</i>	ture of Animal	<i>Cells</i> , Alan R.
	АТ	<u>6</u>	to intercala	ating oxazolopy	A IV: α-anomeric and β-and ridocarbazole. Synthesis, esearch 15:6625-6641, IR	physicoche	mical propertie	ovalently linked es and poly (rA)
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	AŞ	13	Marks, J. Chain Sh	Marks, J. D., et al., "By-passing Immunization: Building High Affinity Human Antibodies by Chain Shuffling," <i>Bio/Technology</i> 10:779-783, Nature Publishing Co. (1992)				
	AT	13	McCaffer domains,	ty, J., et al., " " Nature 348	Phage antibodies: filam 552-554, Macmillan Ma	nentous phage disp agazines Ltd. (1990	laying antibod	y variable
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	AS	14	in Current	L., and Shim Protocols in Ch. 7.28 (199	nizu, Y., "Measuremen <i>Immunology</i> , Coligan, 94).	it of Cellular Adhesi J. E., <i>et al.</i> , eds., J	ion Under Sta Iohn Wiley & S	tic Conditions," Sons, Inc., New
	AT	14	Morrison, S. L., et al., "Chimeric human antibody molecules; Mouse antigen-binding domains with human constant region domains," <i>Proc. Natl. Acad. Sci. USA 81</i> :6851-6855, National					
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	AS	<u>15</u>		Monoclonal An	Effect of Radionuclitibody," <i>J. of Nuclea</i>				
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	AS	16	Domains \		sible Procedure for Rec rving Their Ligand-Bind (1991)			
	AT	16	Padlan, E Press (19		ny of the Antibody Mole	ecule," <i>Mol. Immun</i> o	ol. 31:169-217	, Pergamon
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	АТ	19	Vectors: A	, R. L., and Der Survey of Mole , MA, pp. 471-4	nhardt, D. T., eds., "Introdu ecular Cloning Vectors and 73 (1988)	ction of Vect Their Uses,	tor into Host C Butterworth F	Cells," in Publishers,
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	AR	22	Smith, T. I	F., and Waterm ics, Vol. 2, Rota	an, M. S., "Comparison of a, G., ed., Academic Press	Biosequence , Inc., New Y	es," in <i>Advanc</i> ork, NY, pp. 4	es in Applied 182-489 (1981)
	AS	22	Oligodeox	ynucleotide: An	J. S., "Phosphorothioate O htisense Inhibitors of Gene FL, pp. 97-117 (1989)	ligodeoxynu Expression,	cleotide Analo Cohen, J. S.,	egues," in ed., CRC
·	АТ	22			Isolation and characterisatillan Journals Ltd. (1979)	tion of a yea	st chromosom	al replicator,"
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	FORM PTO-1449
<u>IV</u>	IFORMATION DISCLOSURE STATEMENT

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ATTY. DOCKET NO. 2159.0030001/LBB/PAC	APPLICATION NO. 10/764,604	-
FIRST NAMED INVENTOR McLachlan, et al.		
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	AR	<u>23</u>	Stitt, T. N., for the Tyro	<i>et al.</i> , "The Anti 3/AxI Family o	coagulation Factor Proteir f Receptor Tyrosine Kinas	n S and Its F es," <i>Cell 80</i>	Relative, Gas6 :661-670, Cell	, Are Ligands Press (1995)	
	AS	<u>23</u>			A fluorescent cellular adhe ol. Meth. 175:59-68, Elsev			ell produced	
	АТ	<u>23</u>	Stover, C. K., et al., "New use of BCG for recombinant vaccines," <i>Nature 351</i> :456-460, Macmillan Magazines Ltd. (1991)						
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					in conformance with MPEP 609	. Draw line thr	ough citation if no	t in conformance	
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	ATTY. DOCKET NO.	APPLICATION NO.
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	McLachlan, et al.	
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	AS	24	antigen Cl	D2 and lymph	evidence for a receptor-li nocyte-function-associated I Academy of Sciences (1	d antigen 3," <i>Pr</i>	n between the oc. Natl. Acad	T-cell surface . <i>Sci. USA</i>
	АТ	24	Membrane	e Proteins wit	east Cancer Protein Belo h Potential to Control Intra rancis, Inc. (2000)	ngs to New Fan acellular Zn ²⁺ H	nily of Histidin omeostasis,"	e-Rich IUBMB Life
			79.249-20		(2000)			
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	ATTY. DOCKET NO.	APPLICATION NO.
•	2159.0030001/LBB/PAC	10/764,604
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	AS	<u>25</u>	chromos	per, G., and Comal replicators (198	arbon, J., "Sequence of or and the <i>TRP1</i> gene," (0)	f a yeast DNA frag Gene 10:157-166,	ment containin , Elsevier/North	g a n-Holland
	AT	<u>25</u>	TCR/CD	3 Complex an	cific F(ab') ₃ Derivatives of CD2 to Activate and Association of Immunol	Redirect Resting C	tive Signaling Sytotoxic T Cell	Via the s," <i>J. Immun</i> o
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	AR	<u>26</u>	Urlaub, G., and Inversi (1986)	<i>et al.</i> , "Effec ons," <i>Somati</i>	t of Gamma Rays at t c Cell and Molecular	he Dihydrofolate Genetics 12:555-	Reductase Locu 566, Plenum Pu	us: Deletions ublishing Corp.
	AS	26			ling activities of a rep Escherichia coli," Nat			
	AT	26	Wilson, I. A Cell Press	, <i>et al.</i> , "The (1984)	Structure of an Antig	genic Determinan	t in a Protein," C	Cell 37:767-778,
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